



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 2 2009

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Mr. Peter L. Keeley
General Counsel
Lafarge North America Inc.
12950 Worldgate Dr., Ste. 500
Herndon, VA 20170

Mr. Craig S. Campbell
Vice President of Environment and Government Affairs,
Lafarge North America Inc. – Cement Division
12950 Worldgate Dr., Ste. 500
Herndon, VA 20170

Re: Clean Air Act Violations at Lafarge Facilities

Dear Mssrs. Keeley and Campbell:

As you know, the United States Environmental Protection Agency (U.S. EPA) and the United States Department of Justice have been investigating Lafarge North America, Inc. (Lafarge), and its wholly owned subsidiaries Lafarge Midwest, Inc. (Lafarge Midwest) and Lafarge Building Materials Inc. (Lafarge Materials) (collectively Lafarge Companies) regarding those entities' compliance with the Clean Air Act (the Act) at thirteen Portland cement manufacturing facilities owned and operated by the Lafarge Companies within the United States.

The purpose of this letter is to formally notify the Lafarge Companies and, by copy of this letter, the states in which each of their Portland cement manufacturing facilities is located, of U.S. EPA's findings of violation, in accordance with Section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1).

The following Portland cement manufacturing facilities are individually owned and operated by the Lafarge Company identified below:

1. Lafarge
 - a. Whitehall, Pennsylvania: Whitehall Plant, 5160 Main Street, Whitehall, Pennsylvania 18052.
 - b. Paulding, Ohio: Paulding Cement Plant, 11435 Road 176, Paulding, Ohio 45879.
 - c. Sugar Creek, Missouri: Sugar Creek Cement Plant, 2200 N. Courtney Road, Sugar Creek, Missouri 64050.

- d. Davenport, Iowa: Davenport Cement Plant, PO Box 690, 301 East Front Street, Buffalo, Iowa 52728.
 - e. Seattle, Washington: Seattle Plant, 5400 West Marginal Way Southwest, Seattle, Washington 98019.
2. Lafarge Midwest
- a. Fredonia, Kansas: Fredonia Cement Plant, 1400 South Cement Road, Fredonia, Kansas 66736.
 - b. Alpena, Michigan: Alpena Cement Plant, 1435 Ford Avenue, Alpena, Michigan 49707.
 - c. Joppa, Illinois: Joppa Cement Plant, 2500 Portland Road, Grand Chain, Illinois 62941.
3. Lafarge Materials
- a. Ravena, New York: Ravena Plant, P.O. Box 3 or Route 9W, Ravena, New York 12143.
 - b. Roberta, Alabama: Roberta Plant, 8039 Highway 25 West, Calera, Alabama.
 - c. Tulsa, Oklahoma: Tulsa Cement Plant, 2609 North 145th East Avenue, Tulsa, Oklahoma 74116.
 - d. Harleyville, South Carolina: Harleyville Plant, 463 Judge Street, Harleyville, South Carolina 29448.
 - e. Atlanta, Georgia: Atlanta Plant, 2520 Paul Avenue, NW, Atlanta, Georgia 30318.

U.S. EPA finds that, at one or more of the Lafarge Companies' Portland cement manufacturing facilities referred to above, the Lafarge Companies have violated at least one of the following statutory and regulatory requirements of the Act: the Prevention of Significant Deterioration (PSD) provisions of the Act, 42 U.S.C. §§ 7470-7492; the nonattainment New Source Review (nonattainment NSR) provisions of the Act, 42 U.S.C. §§ 7501-7515; the federally-approved and enforceable state implementation plans (SIPs), which incorporate and/or implement the above-listed federal PSD and/or nonattainment NSR requirements; and, Title V of the act, 42 U.S.C. §§ 7661-7661f, and Title V's implementing federal and state regulations.

More specifically, U.S. EPA finds that since the construction of the Portland cement manufacturing facilities referred to above, one or more of the Lafarge Companies' plants has undergone a major modification within the meaning of the PSD or nonattainment NSR provisions resulting in a significant net emission increase of nitrogen oxides (NO_x) and/or sulfur dioxides (SO₂). U.S. EPA further finds that since each major modification, or the commencement of their ownership and/or operation of the plant after such major modification, each Lafarge Company has been in violation of the PSD provisions of the Act and the federal PSD regulations and/or SIPs for PSD by failing to, among other things, undergo PSD review, apply for and obtain a PSD permit prior to construction and install and operate best available

control technology (BACT) to control such pollutants.

Alternatively, or in addition to the violations identified in the preceding sentence, U.S. EPA finds that since making each major modification, or commencing plant ownership and/or operation after such major modification, the Lafarge Companies have been in violation of the nonattainment NSR provisions of the Act and the permitting programs that EPA implements or has approved into the relevant SIP by failing to, among other things, undergo nonattainment NSR review, apply for and obtain a nonattainment NSR permit prior to construction and install and operate lowest achievable emission rate technology (LAER) to control such pollutants.

U.S. EPA also finds that the Lafarge Companies have failed to obtain a proper or adequate Title V operating permit for one or more of its plants subject to PSD and/or nonattainment NSR, by failing to identify in its permit application or supplements all applicable requirements, including the PSD and/or nonattainment NSR requirements for NO_x and SO₂, to meet BACT pursuant to PSD and/or LAER pursuant to nonattainment NSR for the above major modifications, in violation of Title V and its federal and state implementing regulations.

Should you have questions, or wish to request a conference, regarding the matters described in this letter, please contact:

Shaun Burke, Engineer
Air Enforcement Division
MC 2242A
United States Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, D.C. 20460
(202) 546-1039

Sincerely,

A handwritten signature in black ink, reading "Pamela J. Mazakas". The signature is fluid and cursive, with the first name "Pamela" being more prominent and the last name "Mazakas" following in a similar style.

Pamela J. Mazakas, Acting Director
Air Enforcement Division

cc:

Gene Kelly, Regional Director
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